MARY KATE SULLIVAN (State Bar No. 18020	03)
mks@severson.com BERNARD J. KORNBERG (State Bar No. 2520	006) FILED & ENTEDED
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A Professional Corporation	JAN 10 2018
San Francisco, California 94111	
Facsimile: (415) 956-0439	CLERK U.S. BANKRUPTCY COURT Central District of California BY bakchell DEPUTY CLERK
Attorneys for Wells Fargo Dealer Services, a	
	CHANGES MADE BY COURT
8 <u>NOT FOR PUBLICATION</u>	
9 UNITED STATES BANKRUPTCY COURT	
10 CENTRAL DISTRICT OF CALIFORNIA	
11 LOS ANGELES DIVISION	
In re	Case No. 2:17-bk-20482-RK
Jasmine Lepe,	Chapter 7
Debtor.	ORDER DENYING DEBTOR'S MOTION
, . , ,	FOR DAMAGES AND SANCTIONS AGAINST WELLS FARGO BANK
_	Date: January 9, 2017
Movant,	Time: 2:30 p.m. Crtrm.: 1675
VS.	
Wells Fargo Dealer Services, a division of Wells Fargo Bank, N.A.,	
Respondent.	
On January 9, 2018, the Court held hearing on the motion of debtor Jasmine Lepe	
("Debtor") for sanctions and damages against respondent Wells Fargo Dealer Services, a division	
of Wells Fargo Bank, N.A. ("Wells Fargo"). The motion was opposed by Wells Fargo. Wells	
Fargo appeared through its counsel of record, Bernard J. Kornberg of Severson & Werson, P.C.	
Debtor who appeared for herself, stating that her bankruptcy counsel was not representing her at	
the hearing and that she was representing herself at the hearing. The Court, after considering the	
	mks@severson.com BERNARD J. KORNBERG (State Bar No. 2520 bjk@severson.com SEVERSON & WERSON A Professional Corporation One Embarcadero Center, Suite 2600 San Francisco, California 94111 Telephone: (415) 398-3344 Facsimile: (415) 956-0439 Attorneys for Wells Fargo Dealer Services, a division of Wells Fargo Bank, N.A.,  NOT FOR  UNITED STATES BA  CENTRAL DISTRIC  LOS ANGEL In re  Jasmine Lepe,  Movant,  vs.  Wells Fargo Dealer Services, a division of Wells Fargo Bank, N.A.,  Respondent.  On January 9, 2018, the Court held hearin ("Debtor") for sanctions and damages against res of Wells Fargo Bank, N.A. ("Wells Fargo"). The Fargo appeared through its counsel of record, Be Debtor who appeared for herself, stating that her

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Main Document Page 2 of 2 1 arguments made in the papers and at the hearing, adopted its tentative ruling and denied the 2 motion. 3 FINDINGS OF FACTS AND CONCLUSIONS OF LAW 4 The Court finds and concludes that Debtor lacks standing to sue for stay violations in a 5 Chapter 7 bankruptcy case since only the Chapter 7 trustee has standing to assert violations of stay 6 as to estate property, such as the subject vehicle. *In re Mwangi*, 764 F.3d 1168, 1171 (9th Cir. 7 2014), cited with approval in, In re Perry, 2017 WL 1276075 (C.D. Cal. 2017). 8 **ORDER** 9 It is hereby ordered that Debtor's Motion for Sanctions against Wells Fargo is denied for 10 lack of standing to seek the requested relief. 11 ### 12 13 14 15 16 17 18 19 20 21 22 23 Date: January 10, 2018 24 Robert Kwan United States Bankruptcy Judge 25 26 27 28 08999.0217/11044599.1

ORDER DENYING DEBTOR'S MOTION FOR DAMAGES AND SANCTIONS

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